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THE
Revolutions of 1688
and 1776

BY FREDERICK MAY HOLLAND,
Author of "Liberty in the Nineteenth Century."



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ЧО ІЧИЙ
АМАОЧІЛАО

THE REVOLUTIONS OF 1688 AND 1776.

I. The collapse of Puritanism enabled the theatres to re-open. Actresses gave a new fascination to the stage; and even Shakespeare seemed likely to be eclipsed by Dryden. The century ended as it had begun, in a blaze of secular literature. The Roundheads had only put a dark period between two bright ones; and in the end the Reformation in England was conquered by the Renaissance. Science languished even worse than poetry in the shadow of theology. Bacon had no successor; and Englishmen were slow to notice the mighty books in which Descartes taught the dependence of life and motion on mechanical laws, as well as the necessity of observation and experience for making knowledge accurate. It was his method which Newton followed in the "Principia"; and this momentous demonstration of the universal power of gravitation throughout the solar system could not, in all probability, have been published, or perhaps even written, without the co-operation established among friends of science in 1660. Then the members of what had hitherto been only a private club were able to form the Royal Society, hold public meetings, and publish reports of important experiments. One of the books which it sanctioned proved that comets return with a regularity which shows them to be signs of the omnipotence of law, and not of the divine wrath.

TO MIGHTY AMERICA.

Not until the publication of Newton's "Principia" in 1687, however, was the fact clearly established that the world is not governed by arbitrary flats, but according to fixed laws everywhere in force. These laws were acknowledged to be working for the general happiness of mankind; and thus faith in the universal fatherhood of God began to drive away the fancy that he wished his servants to slaughter whoever would not worship him precisely as they did. Thus Newton did much to increase the influence of the books published late in the century by Penn, Locke, Spinoza, and many other authors, to prove that religion is holy enough to have a right to grow freely. The "Principia" was the death-warrant of persecution. Political freedom, also, was guaranteed by the advance of science. Early nations knew almost as little about kings who rule according to the laws of the land, as about a God who rules according to the laws of the universe; but England was now beginning to see that the best of all governments, whether on earth or in heaven, is that which is most in harmony with impartial laws.

II. The Royal Society was protected against bigots by a king who was much more interested in science than in either theology or politics. He was too indolent, as well as too fond of dissipation, to rule as despotically as he might have done in the reaction against the regicides. No more taxes were levied without authority from Parliament; local self-government was re-established throughout Great Britain; and arbitrary imprisonment was forbidden by the Act of Habeas Corpus. The Merry Monarch was too irreligious to be intolerant; but he suffered many harmless Quakers to die in prison, and the Puritans were persecuted cruelly by the vindictive Episcopalians. There were thousands of martyrs in Scotland, where the people had been loyal to this heartless king from the first. It was by no means to the detriment of religious liberty, however, that

the Colony of Massachusetts Bay lost her charter in punishment for obstinately forbidding members of the Church of England to vote or to hold public worship. Independents, Presbyterians and Episcopalian agreed in nothing more zealously than in hating the Catholics. Many were the executions under false charges of having formed a "Popish Plot".

III. It was during a reaction against this bloodshed that James II. mounted the throne. Attempts had been made to exclude him because he was a Catholic; but he was able to assume unconstitutional power by the loyalty of the Episcopalian, whose clergy preached passive obedience. He repaid them by appointing members of his own denomination to lucrative places at Oxford and Cambridge, which were held as private property by Anglican ecclesiastics. Among the remonstrants against this violation of the law was Newton, who had but just published the "Principia". The king went on dealing with magistracies and offices in the army as well as in the Church, as unscrupulously as any American politician. He had tried to please the most narrow of Episcopalian by persecuting unto death the Presbyterians; but now the doctrine of passive obedience was losing efficacy, and he turned for help to the Puritans. They scorned his offer to set aside every law either to their injury or that of the Catholics. He commanded that his proclamation of tolerance be read in all churches. There was a general refusal, and seven bishops remonstrated. They were sent to the Tower, but their trial had no result except to make the tyrant more unpopular. Almost everyone hoped that the crown would soon be inherited by a Protestant prince, William of Orange; but the king announced that he had a son; and there were no witnesses except members of a Church which was supposed to keep no faith with heretics. Pious fraud seemed probable; and there was a universal welcome to William, who landed in England with a Dutch army

in November, 1688. James fled to France, and the Stuarts were excluded forever from the throne by a convention in which Newton sat. Such were the circumstances under which persecution and despotism ceased to curse England.

IV. There was still great danger that the Stuarts would be restored by the mighty monarch who then reigned in France, and it was therefore absolutely necessary that all Britons should come into political fellowship, that they should enter into close alliance with the Catholic nations hostile to Louis XIV, and that the vacant throne should be occupied by the deliverer who had pledged himself to the maintenance of religious liberty as ruler of Holland. Accordingly the Toleration Act of 1689 enabled all loyal and trinitarian Protestants, including Quakers, to hold public worship; but the law restricting all officers, either in the army and navy or in the civil service, to Episcopalianism remained in force until the nineteenth century. Catholics were no longer in danger of execution; but their priests and schoolmasters were made liable to imprisonment for life, and other adherents of that faith were much harassed by legislation, as well as by popular prejudice, in England, while they were atrociously treated in Ireland. Denial of the Trinity, of the truth of Christianity, or of the authority of Scripture was punishable with three years of imprisonment, according to a law often enforced during the eighteenth century, and still kept up, though not against Unitarians. The last execution under British rule for differences about religion took place in 1697, when a young student named Aikenhead was hanged for Atheistical talk in Scotland, where Presbyterianism had been re-established as the State Church.

There was no important increase by legislation in Great Britain, before the nineteenth century, of an amount of religious liberty which was sadly limited in comparison with what had been enjoyed for more than a hundred years in Holland.



This fact shows that the grant of toleration, in 1689, was due to the force of circumstances rather than of arguments; England accepted toleration from Holland in order to get rid of the Stuarts. Their hostility to the Church had compelled her to make peace with the Puritans; and the common feeling which strengthened the alliance was hatred — not of persecution, but of Catholicism. English Catholics did, however, gain something more like justice than they had had for more than a hundred years. Another important extension was in freedom of the press. That citadel of liberty was by no means so much respected as in Holland. Dutch printers were under comparatively few restrictions, and were thus enabled to publish half the books written in Europe. Many British authors were imprisoned in the eighteenth century, and some late in the nineteenth; but none of them had run the slightest risk of being beheaded, as that foremost champion of political and religious equality — Algernon Sydney — was, in 1683, merely for writing an abstruse book which had not been published.

V. There was a general extension of constitutional government throughout the British Empire in place of the dominion of arbitrary power, and the increase of religious liberty was especially great in the two colonies, which had been consolidated into that of Massachusetts. Catholics had full religious liberty in Canada after its conquest, in 1760; but they were excluded from office in all other British colonies except New Jersey, Pennsylvania, and, for a time, North Carolina. These three colonies were also peculiar in not having any State Church, or any governor appointed by the crown. The commonwealth founded by Penn allowed all men to vote; but there were property qualifications elsewhere. The Sabbath law was still extremely strict in Massachusetts and also in Connecticut, which colony now included that originally called New Haven. Quakers were no longer persecuted, but nine-

teen alleged witches were hung at Salem in 1692. Orthodox Protestants had liberty of worship everywhere, but there was a social bar upon unbelievers; and they were forbidden to hold office in Pennsylvania, Maryland, Virginia, and the Carolinas. Substantially, this state of things was kept up until the time of the Revolutionary War.

The promulgation of optimism and latitudinarianism, the almost unbroken ascendancy of the Whig party until 1770, and the constant progress of science united in giving England freedom. Nowhere else, except in Holland, was the eighteenth century so early and peculiarly the philanthropic one. The rebellion against Charles I. deserved to fail because of the intolerance of the Presbyterians, the asceticism of the Puritans and the despotism of Cromwell. The Whigs sought to establish not only their own claims but the rights of their neighbors; and by this they achieved permanent and glorious success.

VI. The Revolution of 1776 was a result of the loss of power by the Whigs after the accession of one of the most conscientious and narrow-minded of sovereigns. It had been hard for the Americans to bear the heavy burdens imposed on their commerce and manufactures for the protection of British rivals against competition, but the injustice of such laws was not yet understood. The levy of a direct tax on newspapers and legal documents was a plain grievance; and the indignation of the colonists increased under the cruel laws passed by Tory parliaments.

Briefly stated, the Revolutionary War began on April 19, 1775, with the battle of Concord, which was closely followed by that on Bunker Hill. New England was freed from British control by the evacuation of Boston, early in 1776; and the first stage of the conflict ended with the Declaration of Independence. Among its most influential advocates was

Thomas Paine; and his pamphlets greatly encouraged the patriotic army during the gloomy period when both New York and Philadelphia were occupied by the British. They found strong support in Pennsylvania and New Jersey, while Washington was defeated so badly that the war might probably have been brought to a close if the royalist general, Sir William Howe, had not been, as he was called by his secret friend, Lee, "the most indolent of mortals". The surrender of Burgoyne at Saratoga, in October, 1777, opened a third period, during which the Americans were enabled, by an alliance with France to drive the British troops out of all the region between Maryland and Canada with the exception of New York City. The fourth act of this great drama opened in Georgia and closed after much fighting in the Carolinas with the surrender at Yorktown, Va., in 1781, of the British army to a combined force of Americans and French. The latter lost twice as heavily as their allies in this campaign.

VII. Independence might have been won earlier if America had had a sound currency and a strong central government. The towns and colonies had been so firmly organized from the first that there was not much lawlessness, and the rights of the new States were guaranteed fully by the national Constitution, still in force. No country of much size had had so good a right to call itself a republic. The Declaration of 1776 that "all men are created equal" was carried out without any limitation on account of religion or occupation; but it was only very gradually that equality before the law could be established without regard to time — honored privileges of race and sex. Scarcely any claim had been made that women were entitled to the benefit of the principle that a just government must have "the consent of the governed". Female freeholders were allowed to vote for President in New Jersey, but the right was soon taken away; and little was at-

tempted before 1848 for the relief of the suppressed sex. Negro slavery existed in all the thirteen colonies until 1780. In that year, Massachusetts and Pennsylvania followed the example of Vermont, which had passed an act of emancipation in 1777, though not yet admitted to the Confederacy. Measures for extinction of slavery were taken by the remaining States in New England in 1784, by New York in 1799 and by New Jersey in 1804. One of the last acts of the Confederate Congress was to provide that there should never be any slaves in the territory north of the Ohio; Maryland, Virginia and Delaware seemed almost ready to become free States, and there was strong desire everywhere except in Georgia and the Carolinas for suppressing importations of negroes from Africa.

The framers of the Constitution agreed to provide for the recovery of fugitives from labor, but there was much difference of opinion as to whether any State should have representatives for its slaves; and the compromise by which three-fifths were enumerated was accepted with general dissatisfaction. An even worse bargain was made between Connecticut with Massachusetts, on one hand, and Georgia with the Carolinas, on the other. The latter States opposed prohibition of the slave trade so violently that formation of the Union seemed impossible; and they also resisted the attempt of New England to have her manufacturers aided by duties high enough to check importation from Europe. A tariff was a necessity, but the Southerners insisted that it be arranged purely for raising revenue, and that no unnecessary restrictions on commerce be imposed except by a vote of two-thirds of each branch of Congress. The rights of whites as well as blacks were violated by a compromise which made the slave trade legal until 1808, and put no limit to the imposition of protective duties by a mere majority.

The principle that the Government ought not to interfere

with the honest business of the citizens, or depress any industry in order to subsidize others, was not ignored entirely. The new Constitution forbade Congress to tax exports, or restrict commerce between the States; and these latter were no longer permitted to make even tariffs for revenue. Thus free trade was established over so large an area, and with such beneficial results, that it was extolled as the American system by Daniel Webster in 1824.

VIII. The failure of the rebels to revolutionize Canada was partly due to their unwillingness to tolerate Catholicism which had even been re-established by Great Britain as a State Church on the St. Lawrence.

Many Americans, however, were advanced enough to see that heretics and unbelievers are entitled to something more than tolerance. That word had sanctioned the habit of governments to persecute. Religion rose to a much higher place on June 12, 1771, when the convention which framed the Constitution of Virginia adopted unanimously the section stating that "religion can be directed only by reason and conviction, not by force or violence, and therefore all men are equally entitled to the free exercise of religion, according to the dictates of conscience". These words were proposed by Madison, and to say that all men have equal rights, as regards religion, is to admit that government has no right to legislate on the subject except for the prevention of interference. The adoption of Madison's principle of religious equality was followed that same fall by a release of the Dissenters from church rates, episcopacy was soon disestablished, and, in 1785, Virginia passed an "Act for establishing religious freedom", which was written by Jefferson, and provided that "all men shall be free to profess and by argument to maintain their opinions in matters of religion, and that the same shall in no wise diminish, enlarge or affect their civil capacities". Thus Virginia was

first to declare that government, in order to be really free, must be impartial.

Similar views prevailed in Rhode Island, but that State made no new Constitution before 1842. Then the words of Jefferson were adopted almost literally. This was the only one of the new commonwealths which took advantage of its independence to release all citizens who kept the Sabbath on the original day from the operation of Sunday laws. Jews could vote in Virginia, New Jersey, New York and Rhode Island. All four States were equally just to Roman Catholics, and so were Massachusetts, Pennsylvania, Delaware and Maryland. That the three most advanced States were Virginia, New York and Rhode Island is further shown by their uniting with Pennsylvania and New Jersey to keep the citizens free from any taxation for support of public worship. There were very intolerant enactments in Georgia and the Carolinas, but the clergy were most powerful in New England, where their salaries were paid by a general tax. Sabbatarian laws were strictly enforced outside of Rhode Island, heavy social penalties were imposed upon unbelief, and blasphemy was still a capital crime in Connecticut.

The Congregationalism which was established in New England as a State Church had found a dangerous rival, even before the Revolutionary War, in Methodism. Murray founded, in 1770, the denomination which has done more than all others to sweep away the intolerant fancy of a hell whose gates bear the inscription, "All hope abandon ye who enter here." If there were no hope in hell, there could be no love in heaven, said the Universalists. Quakerism was now found to deserve no persecution but only honor, and a choice between oath and affirmation was given in almost every State.

These good examples were followed by the framers of the National Constitution, and all the more willingly because they

wished to avoid having the Congregationalism of New England fight for supremacy against the Episcopalianism of Virginia and the Carolinas. It was promptly provided that "no religious test shall ever be required as a qualification to any office." Some opposition to ratification was made on this account in the New England conventions, but clerical delegates helped win a victory for liberty. A Jewish rabbi marched, by invitation, in the procession which celebrated the inauguration of the Constitution in 1789, and the Amendment forbidding any "laws respecting an establishment of religion" was quickly passed. The first president signed a treaty with Tripoli, containing a statement, which thus became "the supreme law of the land", namely, that "The Government of the United States is not in any sense founded on the Christian religion." It was left for agitators a hundred years later to attack the impartiality of the Constitution as Atheistic.

IX. There was much difference of opinion as to political equality. Local government had been carried on mostly by men of property before the Revolution, but that struggle gave unprecedented power to the poorer class. The polls were thrown open to all tax-payers by the new constitutions of New Hampshire, Vermont, Pennsylvania and Delaware. No property qualification was required of mechanics in Georgia; and tax-payers who had resided for twelve months in any town in North Carolina were permitted to vote for members of their House of Commons. These six States were in advance of all other communities, except some of the Swiss cantons, for they made it possible for men without property to elect members of Congress. Seven of the fourteen constitutions adopted during the war gave the voter that shield against intimidation, the ballot, and none of them recognized any privileged locality or inherited claim to office. No legislation could decide the question, whether candidates should be elected to office solely for

their character, ability and political opinions, or whether the choice should be influenced by deference to wealth, social station and family connections. The problem had to be solved by public opinion, and this was soon expressed decisively.

Our national Government has been kept from falling into either anarchy or despotism by the pressure, ever since the adoption of its Constitution, on one side, of men who wished to make it stronger, and on the other, of men who preferred to keep it harmless. For the first twelve years the popularity of Washington gave a supremacy to the Federalists, who wished to consolidate the nation, retain property qualifications, keep up a protective tariff and fill the offices with men of high social standing. They called themselves "the gentlemen's party", and they had more right to this title than to that of "Federalist". What they really wanted was not a federation or a confederacy, but a nation.

Prominent among their leaders was the vice-president during Washington's two terms, and president for the rest of the century, John Adams. He had been one of the foremost champions of independence; the treaty which closed the war had been negotiated by him, and his casting vote in the Senate prevented a renewal of hostilities with Great Britain. He was so horrified at the lawlessness and irreligion of the French Revolution as to say, "I know not what to make of a republic of thirty million Atheists"; and at his inauguration, in 1796, he avowed "a fixed resolution to consider a decent respect for Christianity among the best recommendations for the public service."

Two years later the Federalists were so frightened by danger of war with France as to pass laws which would have strengthened the Government at the expense of individual liberty. The Alien Act would have enabled Adams to banish any foreigners whom he "should judge dangerous", if it had not

proved to be unconstitutional. He never enforced it, but he was urged by his Secretary of State to use it against Priestly, who had recently been expelled for love of liberty from England, where he had made chemistry a science. Kosciusko left America in disgust.

Adams did enforce the Sedition Act, under which even American citizens by birth were fined and imprisoned for writing against him in the newspapers. Among his victims was a member of Congress; another of the incarcerated afterwards became a district judge in Pennsylvania and President of the South Carolina College; and a third was kept in jail until Adams went out of office. In these trials the judges did not permit the constitutionality of the new laws to be called in question. There was danger that the Constitution would be nullified by the Federalists.

Great was the indignation in the party which then called itself Democratic Republican, and which has always labored to keep the Government within the Constitution. Prominent among its original objects were the defense of individual rights, and the abolition of political distinctions between rich and poor citizens. Its leader, Jefferson, had risen to the vice-presidency in the confusion caused by an underhand attack of Hamilton on Adams in 1796. That hatred of despotism, which had inspired the Declaration of Independence and the "Act for establishing Religious Freedom in Virginia", now made Jefferson draft resolutions in which Kentucky and Virginia declared the Union to be only a compact between States, each of which has a right to see whether the terms are kept. Thus the position of champions of State rights was assumed by the men who wished to keep the Government strictly constitutional.

X. They prevented the re-election of Adams in 1800, when his party had broken up into hostile factions. Hamilton

and many other Federalists wished for war with France. There was plenty of provocation, but Adams saw that it was wiser to reopen friendly relations and did so without consulting his Cabinet. He lost his place as president, but he always called this the best action of his life, and he desired that no other should be recorded above his grave. His chief strength was in New England, where manufacturers wished for a protective tariff, and clergymen charged his opponent with infidelity. Jefferson had dared to befriend Thomas Paine and to say in the "Notes on the State of Virginia", a book which had wide circulation, that "Difference of opinion is advantageous in religion"; and that "The legitimate powers of government extend to such acts only as are injurious to others; but it does me no injury for my neighbor to say there are twenty gods or no God." He also declared that he should oppose the establishment of any national church, for he had "sworn on the altar of God eternal hostility against every form of tyranny over the mind of man."

His open hatred of slavery did not deprive him of a single electoral vote in Virginia, Kentucky, Tennessee, South Carolina or Georgia. He also carried New York, but New Jersey and Delaware remained, like New England, Federalist, and Pennsylvania, Maryland and North Carolina were divided. The election of 1800 was the triumph of the principles of the Declaration of Independence, the Act establishing Religious Freedom, and the Constitution of the United States, over such practices as disfranchising citizens for not owning real estate, taxing them for the support of churches, and imprisoning them for blasphemy against John Adams.

The Federalists in Congress tried to give the presidency to Aaron Burr, who professed opinions resembling Jefferson's, but had no principles whatever. There was talk of resistance by force, but nothing worse was done than to create some new

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courts, in time to have the salaries assigned to members of "the gentlemen's party". Such commissions were made out very rapidly on the evening of March 3, 1801; and it is said that there was no cessation until the new attorney-general entered, watch in hand, and announced: "I take possession here, for it is twelve o'clock by Mr. Jefferson's watch."

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